

**2014 State Damage Prevention Program Grants Progress Report  
CFDA Number: 20.720**

**Award Number:** DTPH5614GPPS06

**Project Title:** Indiana Utility Regulatory Commission State Damage Prevention Grant

**Date Submitted:** May 1, 2015

**Submitted by:** Carol A. Stephan and Stephen Allen

**Specific Objective(s) of the Agreement**

Under this grant agreement, the IURC will enforce:

- Laws and regulations of the damage prevention process

**Workscope**

Under the terms of this grant agreement, the Recipient will address the following elements listed in the approved application as stated in 49 U.S.C. §60134 (b).

- **Element 7 (Enforcement):** Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education and the use of civil penalties for violations assessable by the appropriate State authority.

**Accomplishments for this period (Item 1 under Article IX, Section 9.01 Progress Report: “A comparison of actual accomplishments to the objectives established for the period.”)**

The Pipeline Safety Division (PSD) is required by the Indiana One-Call Law (IC 8-1-26) to investigate and track each alleged violation of the statute. This investigation includes requesting information from both operators and excavators about damages and alleged violations reported to it. Once responses have been received PSD reviews all of the evidence submitted, determines whether a violation of the statute has occurred, creates a summary report of the case and forwards it to an advisory committee for penalty recommendations.

The objective for this review process is to help enforce the requirements of the One-Call law and in doing so, reduce the number of excavation damages and potential incidents. While reported allegations of violations are trending upward, actual violations and damages are trending downward. This is due to changes in behavior of all stakeholders toward better, more complete reporting and improvements in operator and excavator performance.

**Quantifiable Metrics/Measures of Effectiveness (Item 2 under Article IX, Section 9.01 Progress Report: “Where the output of the project can be quantified, a computation of the cost per unit of output.”)**

For this reporting period, the PSD has been able to provide the advisory committee on a monthly basis, the maximum number of cases it has stated it would be able to review

(140). Also during this reporting period the PSD processed 1,271 new alleged violations of the law.

Civil penalties assessed for violations of the One-Call law are placed into a special account to be used for public awareness, training and incentives for all stakeholders to improve damage prevention efforts and compliance with the law. As of March 31, 2015, nearly \$600,000 in civil penalties have been recommended by the advisory committee. Nearly 100% of recommended penalties are actually assessed.

**Issues, Problems or Challenges (Item 3 under Article IX, Section 9.01 Progress Report:  
“The reasons for slippage if established objectives were not met. “)**

The primary challenge associated with the state’s One-Call law is that operators have not been able to keep up with the demand for line locates, especially during the busy seasons for excavating. These are being addressed and communications and coordination between operators and excavators continues to improve.

**Mid-term Financial Status Report**

Attached

**Plans for Next Period (Remainder of Grant)**

The PSD’s plans for the remainder of the period are to continue processing investigations of alleged violations and work toward implementation of a new computer application to assist in processing and tracking each case.

**Requests of the AOR and/or PHMSA**

No Actions requested at this time.